

SENATE BILL 704
By Cohen

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 17 and Title 63, Chapter 6, relative to certain controlled substances.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-17-412, is amended by adding the following new subsection:

(g) Notwithstanding any rule or regulation of the board of medical examiners to the contrary, a licensed physician may prescribe, order, administer, sell, or otherwise distribute the controlled substances fenfluramine, dexfenfluramine (marketed as Redux) and phentermine, for any of such substances' currently accepted medical use in treatment in the United States if the following conditions are met:

(1) the patient for whom the prescription is to be written is at least twenty percent (20%) overweight;

(2) the patient receives a complete physical, including blood work, prior to the drugs being prescribed and a complete physical, including blood work, every month thereafter while on the medication;

(3) the patient is given reading material on the advantages and risks associated with the medication; and

(4) the patient is advised that in addition to the medication, a low-fat diet and exercise must be incorporated into such patient's lifestyle.

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SECTION 2. Tennessee Code Annotated, Section 63-6-214, is amended by adding the following new subsection:

() Notwithstanding any provision of this chapter or any rule or regulation promulgated thereto to the contrary, it shall not be a violation for a physician to prescribe, order, sell, or otherwise distribute the drugs fenfluramine, dexfenfluramine (marketed as Redux) and phentermine for their currently accepted medical use in the United States if the following conditions are met:

(1) the patient for whom the prescription is to be written is at least twenty percent (20%) overweight;

(2) the patient receives a complete physical, including blood work, prior to the drugs being prescribed and a complete physical, including blood work, every month thereafter while on the medication;

(3) the patient is given reading material on the advantages and risks associated with the medication; and

(4) the patient is advised that in addition to the medication, a low-fat diet and exercise must be incorporated into such patient's lifestyle.

SECTION 3. This act shall take effect July 1, 1997, the public welfare requiring it.